IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3372 OF 2005

Shri Vishwas Anandrao Shinde & Anr. ..Petitioners.

Versus

Shri Rajaram Anandrao Shinde & Ors. ..Respondents.

Mr. D.S.Mhaisapurkar for the Petitioners.

Mr.R.V.Bansode for Respondent No.1.

Mr. Palekar for the State.

CORAM : S. A. BOBDE, J.

DATED : 05TH JULY, 2005.

P.C.:

1. Rule. Rule made returnable forthwith. Mr. Bansode waives notice for Respondent No.1 and Shri Palekar for the State. Heard by consent.

2. The petitioner has challenged the order dated 05.05.2005, vacating the stay granted by the Additional Commissioner, Pune, Pune Division. The order vacating stay reads as follows :-

"Stay granted in this case is hereby vacated".

No reasons are ascribed for vacating the stay, which was earlier appears to have been granted on 14.10.2003. The order which does not give any reason in accordance with the settled law is, therefore, liable to be set aside. It is hereby set aside.

3. The Additional Commissioner, Pune is directed to decide the Appeal within a period of four months from the date the parties appeared before it. The parties are directed to appear before the Addl.Commissioner, Pune on 11th July, 2005.

05.07.2005 (S.A.BOBDE,J.)

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